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REMARKS

This response is being filed as a reply to the Office Action mailed July 28, 2005. Claims 1-29 have been allowed and claims 30-34 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,180,937 to Troxell et al.

The rejection of claims 30-34 is respectfully traversed for the reasons discussed below. In particular, claim 30 was rejected on the basis that the photocapacitor 18 of Troxell et al. carries out the first step of the recited method (measuring incident light using a photocapacitor that stores charge indicative of the amount of light incident on the photocapacitor) and that Troxell et al. also discloses the second step of the method (transferring the stored charge to a second capacitor that is not sensitive to the incident light) wherein Troxell et al. use "a second capacitor (capacitor 18' of fig 5) that is not sensitive to the incident light." Applicants respectfully submit that this reading of Troxell et al. is not correct for three reasons; namely, (1) 18' of Fig. 5 in Troxell et al. is not a capacitor; (2) the charge stored by the capacitor 18 of Figs. 1-4 is not transferred to device 18'; and (3) the device 18' is in fact sensitive to incident light.

With regard to the first of these three reasons, Troxell et al. clearly states that 18' of Fig. 5 denotes a photodiode (not a capacitor). See the Brief Description of the Drawings section, as well as Col. 4, lines 13-17. As to the second reason, Troxell et al. also makes it clear that the photodiode embodiment 18' is an alternative way of implementing the invention. It can be used in lieu of the capacitor 18, but is not used in conjunction with it to transfer charge stored in capacitor 18 to the photodiode 18'. There is no such teaching or suggestion anywhere in Troxell et al. Again, they are alternative embodiments. Finally, the second step of the method of claim 30 recites that the charge is transferred to a second capacitor "that is not sensitive to the incident light." As clearly shown in Fig. 5 of Troxell et al., the photodiode 18' receives photons 38 which results in charge being generated in the depletion region 40. If this photodiode embodiment 18' was not sensitive to the incident light, then the device would not function for its intended purpose.

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Thus, Troxell et al. does not teach or suggest the combination of steps in claim 30. Accordingly, claim 30 patentably defines over this reference. Claims 31-34 each ultimately depend from claim 30 and should be allowed therewith.

In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance. Reconsideration is therefore requested and the Examiner is invited to telephone the undersigned if doing so would advance prosecution of this application.

The Commissioner is authorized to charge any necessary fees, or credit any overpayments associated with this communication to Deposit Account No. 50-0852.

Respectfully submitted,

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